

Sovereign Nations

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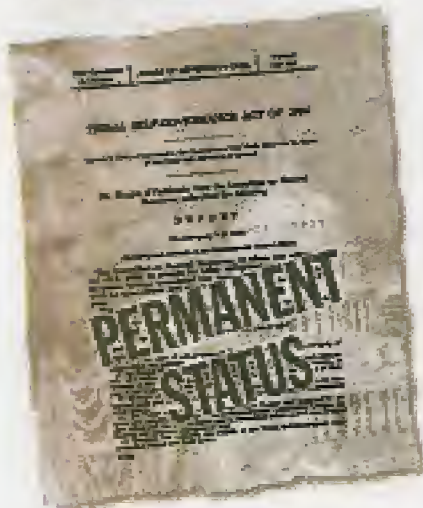
NEWSLETTER OF THE TRIBAL SELF-GOVERNANCE DEMONSTRATION PROJECT

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A Medical Miracle

The Coeur d'Alene Tribe's Benewah Medical Center



BEFORE 1990 MEMBERS of the Coeur d'Alene Tribe in Northern Idaho had two options for medical care: drive 20 miles east down a winding road to St. Maries, or drive 34 miles north on U.S. Highway 95 to Coeur d'Alene. Limited on-site facilities could not do lab work, and specialists did not visit the reservation.

In addition, Tribal members had to go through the Indian Health Service's office in Lapwai to get approval for medical treatment. This meant long-distance calls and sometimes as long as two years before paperwork was processed. As a result, individuals ran up large unpaid medical bills which were often sent to collection agencies.

"We decided it was time to address the health needs of the reservation ourselves," says Tribal Chairman Ernie Stensgar. This sentiment led Stensgar and other Tribal leaders to build Benewah Medical Center—touted as one of the most successful rural health clinics in the country.

Completed in June 1990, the clinic serves the Coeur d'Alene Tribe's 1,300 members, 700 of whom live on the reservation. The clinic is also open to the general public. "Non-Indians had the same health care problems as us, so we worked together," says Stensgar. "Community involvement was critical."

Funding to build the clinic came from a variety of sources including the Bureau of Indian Affairs, the Department of Housing and Urban Development and a grant obtained by the City of Plummer. Construction was made possible by bringing together these disparate funding sources.

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MEDICAL MIRACLE,

from page 1

Multiple sources also account for the clinic's operating funds. IHS funding comprises 85% of the clinic's budget, with other monies coming from insurance payments, reimbursements from Medicaid and Medicare and private dollars.

Tribal leaders decided early on that the clinic would handle making IHS payments to specialists and hospitals, so patients would not have to deal with the tiresome and protracted process. Today a clerk handles paperwork, and clinic patients see their medical bills paid promptly.

It is an approach that works for the Coeur d'Alene Tribe and the surrounding non-Indian community. Many Indian families travel hundreds of miles to avoid the bureaucracy of the IHS, with the clinic gaining an average of 50 to 100 new patients each month overall.

In February of this year a \$1.4 million expansion of the health and dental clinic was completed. Capacity had been stretched, and the Tribe did not want to limit their ability to serve non-Indians. Cindy LaDeaux, Clinic Administrator says that with the expansion the clinic now provides "one stop shopping for medical care



"In these times the Tribe is really moving forward—but we couldn't do it without the full support of our people."

— CHAIRMAN ERNIE STENSGAR

needs." The Tribe hopes the expansion will meet the needs of the community well into the future.

Although not originally a Self-Governance Project, the Tribe negotiated a contract for the clinic this June, with the compact starting October 1. Stensgar says, "We are going the Self-Governance route because we were doing it anyway. We have a state of the art facility. We don't want to jump through all the bureaucratic hoops." The Tribe is also in the process of compacting its social services, roads and police.

Meanwhile the medical center has become a national model for rural health care. The IHS frequently holds the clinic up as a model for Tribes across the country—this year giving it three awards.

The clinic comes on the heels of several other successful Coeur d'Alene Tribe projects, including the Benewah Center shopping center and adjacent auto parts store and service station in Plummer. Both projects helped reduce the Tribe's high unemployment rates.

This year the Tribe opened a successful bingo hall on U.S. Highway

95, and Tribal leaders are contemplating a number of other possible projects, including a new Tribal school and relocation of Tribal headquarters to Plummer. They are also working closely with state officials on the Coeur d'Alene Basin Restoration project.

Support for projects such as these stems from a long history of progressive Tribal leadership. As Tribal Press Secretary Bob Bostwick explains, "Our leadership is well-educated, politically astute and street-wise, but they are grounded and strengthened by an ancient culture." The foundation for progressive leadership was set by the work of people like Joe Garry, Tribal Chairman from 1948 to 1968. During that time he also served as State Senator and State Representative, as well as Founder and President of the National Congress of American Indians. The tireless work of people like Garry has been carried on by Stensgar, who has been Chairman for the last ten years.

"Looking ahead seven generations is a mindset here," says Bostwick. "We have created something to which our educated young people can return. They see opportunities within the Tribe growing every day, and see the value of post-high school education." This has translated into a strong staff made up of Native planners, technical people and others who provide momentum.

"It has also helped the Coeur d'Alene Tribe emerge as a major economic and political force in Northern Idaho."

There is a new sense of pride out here," says Stensgar.

Benewah's Vital Statistics

OPENED: June 4, 1990

SERVES: Members of the Coeur d'Alene Tribe • General public from surrounding communities

PATIENTS: 900 initially, now serving 4,300

STAFF: 45 total, including male and female physicians, a dentist and a physician assistant • 45% non-Indian • All are employees of the Coeur d'Alene Tribe

EXPANSION & REMODEL: The \$1.4 million expansion and remodel, completed in February, 1994, was funded through grants, foundations, private financing and Tribal resources • It added 12,000 square feet to the existing 6,750 square foot structure • Expansion included a dental clinic, community health facility with substance abuse and mental health services, additional examining rooms and library

FUTURE PLANS: Build a health club and physical therapy unit across the street from the clinic

SOVEREIGN NATIONS is a monthly publication of the Tribal Self-Governance Demonstration Project. The purpose of the publication is to disseminate accurate information about Self-Governance. Complimentary subscriptions are available through the Communication & Education Project. Materials contained herein can be reproduced with proper credit. Appropriate editorial contributions and correspondence are welcome.

Self-Governance is a Tribally driven initiative intended to pro-

vide Tribal governments more control over their own activities. The project fosters the shaping of a "new partnership" between Tribal governments and the government of the United States. We believe that excellence in related communication and education is fundamental to the achievement of these goals.

NOTE TO CONTRIBUTORS: We encourage your input, but cannot guarantee acceptance due to time and space constraints inherent in the publication of this newsletter.

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Self-Governance Funded For 1995

CHAIRMAN SIDNEY YATES of the Interior Appropriations Subcommittee was the first to provide support for the Self-Governance concept. In December 1987 he saw to the provision of planning funds for the first ten Self-Governance Tribes and directed the BIA to begin preparations for restructuring and reductions. Since that time, the Interior and Related Agencies Appropriations Subcommittees—led principally by the House—have provided the yearly direction and support to push Self-Governance forward. The principles of shortfall, stable base budgets, Lummi Education/Communication, and many more are the result of the Interior Appropriations Subcommittees.

The House-Senate Conferees have completed action on the Fiscal Year 1995 appropriations for Interior and Related Agencies with further directives and refinements to advance the Self-Governance initiative. The House provision of a \$208,000 increase for the Interior Department's Office of Self-Governance was cut to \$104,000 in conference. The Committees also outlined a major research and report requirement for the BIA which will likely establish the administrative plan to accommodate the expansion of Self-Governance into the next century and restructure the Bureau's operations based on the collective negotiated Tribal Compacts. Due March 15, 1995, the Bureau report is to be prepared in direct consultation with the Tribes and include the following elements:

- Bureau workload before and after Self-Governance
- Delineation of future BIA Central and Office of Self-Governance workloads
- Bureau efforts to ensure Non-compacting Tribes are not negatively impacted
- Determine trust and inherent Federal responsibilities for the Bureau with a range of assumptions including 100 percent compacting
- Establish a consensus definition on stable base funding
- Outline plans for downsizing and restructuring at all Bureau levels, and;
- Include a description of plans to identify and negotiate Tribal shares in FY 95.

The Committees are also tightening the Bureau discretion on shortfall funds to be used either in lieu of resources that can't be transferred due to potential negative effect on other Tribes or for Tribal implementation costs. Germane activities, such as the Lummi Education and Communication initiative, are also noted for support.

The threat of a two-year limit on BIA reliance on shortfall monies, actually imposed by the House, was withheld pend-

ing Bureau response to Committee directives. In the IHS, the Committees encouraged negotiated transfer of resources with particular reference to Office of Environmental Health and Engineering (OEHE). The OEHE reluctance to participate in Self-Governance through their administrative attempts to secure exclusionary status is well known. This year, Congress gave OEHE a gentle nudge of encouragement to participate.

1995 Appropriations

The actual report language for the BIA, IHS and Interior Department's Office of the Secretary regarding the Fiscal Year 1995 appropriations for Self-Governance is as follows:

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

With regard to the Self-Governance program, the managers agree that the Bureau should prepare the report identified by the Senate on workload before and after Self-Governance, and submit it to the Committees by March 15, 1995. With regard to increased workload at the Central Office due to compacting, the report should distinguish that portion of any such increased workload that should be handled by the Office of Self-Governance rather than the Bureau. With regard to impacts on non-compacting Tribes, the managers note that the law authorizing the Self-Governance program does not allow such a result, and provides any Tribe alleging violation of the law appropriate legal relief. The report should address the Bureau's efforts to ensure that non-compacting Tribes are not impacted by the Self-Governance program.

The managers agree that the Bureau should continue to identify the Secretary's trust and inherently Federal responsibilities, with a range of assumptions over time up to a possible level of 100 percent compacting, and expect this process should be carried out in the context of the five-year strategic plan and consistent with authorizing legislation. The managers note that this process should be continued with the direct participation of the Tribes, and be consistent with the definition that the Bureau and the Tribes have been using to date. The managers also expect the Bureau to work with the Self-Governance Tribes to reach a consensus on the definition of stable base funding, and how such funding will be provided as early in the year as possible, report the results to the Appropriations Committees, and implement them as soon thereafter as possible.

With regard to shortfall funds, these funds should be used as identified in the House report, but also may be used for the special purposes identified in past years, such as the Lummi Education Project. While agreeing not to place a timeframe on the use of these funds at this time, the managers will address

this issue again as necessary, depending on the progress made on negotiating and reaching consensus with the Tribes on matters addressed in this report.

The managers expect the Department and the Bureau to include their findings on the Secretary's trust and inherently Federal responsibilities in the March 15 report. Based on the findings, the Bureau should describe how it plans to downsize and restructure the Central, Area and agency offices, consistent with assumptions regarding the level of Self-Governance compacting and contracting which is expected to occur. The Bureau should also describe how it plans to identify and negotiate Tribal shares during fiscal year 1995.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY SALARIES AND EXPENSES

Allocates an increase of \$104,000 for the Office of Self-Governance within the Office of the Secretary instead of \$208,000 as proposed by the House. The Senate had no similar provision.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

4. The Self-Governance program should be expanded through new compacts but these compacts should not be negotiated at the expense of program funding for other Tribes;

5. The IHS, in consultation with all the Tribes, must address the organizational changes needed, such as closing and consolidating area offices and delegating area office and headquarters functions to the field, to free up funding for additional Self-Governance compacts in fiscal year 1995 and beyond.

INDIAN HEALTH FACILITIES

The managers are aware of concerns about the inclusion of programs which have been operated under P.L. 93-638 into Self-Governance compacts. The managers encourage the IHS, and particularly the Office of Environmental Health and Engineering, to work with the Self-Governance Tribes to negotiate activities which could be incorporated into Self-Governance compacts without affecting adversely non-compacting Tribes. Where possible, funds for one-time or non-recurring activities may be folded into ongoing compacts but should not be considered a part of the base.

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SELF-GOVERNANCE TRIBES

1. Absentee Shawnee Tribe
2. Alaska Native Health Board
3. Cherokee Nation
4. Chickasaw Nation
5. Chippewa Cree Tribe (Rocky Boy)
6. Choctaw Nation
7. Coeur d'Alene Tribe
8. Confederated Tribes of Grand Ronde
9. Grand Traverse Band of Ottawa and Chippewa Indians
10. Confederated Tribes of Siletz
11. Confederated Tribes of Salish and Kootenai (Flathead)
12. Shoshone Palute Tribes of Duck Valley
13. Duckwater Shoshone Tribe
14. Ely Shoshone Palute
15. Fond Du Lac Reservation
16. Hoopa Valley Tribe
17. Jamestown S'Klallam Tribe
18. Kaw Nation
19. Kawaiak
20. Leech Lake Band
21. Lower Elwha
22. Lummi Indian Nation
23. Makah Tribe
24. Mille Lacs Band of Ojibwe Indians
25. Mississippi Band of Choctaw Indians
26. Muscogee (Creek) Tribe
27. Oneida Tribe of Wisconsin
28. Penobscot Nation
29. Port Gamble S'Klallam Tribe
30. Pueblo of Santa Clara
31. Quechan Tribe
32. Quinault Indian Nation
33. Ramah Navajo Chapter
34. Sac and Fox Nation
35. Salt River Pima Maricopa
36. Southeast Alaska
 - a. Central Council of Tlingit and Haida
 - b. Kake
 - c. Ketchikan
 - d. Sitka
 - e. Yakutat
37. Sault Ste Marie Tribe
38. Squaxin Island Tribe
39. Swinomish Tribe
40. Tanana Chiefs Conference, Inc.
41. Wyandotte Tribe of Oklahoma

SPECIAL SECTION

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Tribes Participating in the Tribal Self-Governance Demonstration Project

Self-Governance is a Tribal Initiative that continues to grow. From an original group of ten Tribes in 1988, there are now 41 Tribes.

For more information on the Tribal Self-Governance project, contact:

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Work Group Convened to Study BLA's Future Role

A GROUP OF Bureau of Indian Affairs Area Directors has been at work since March on a study to identify the role of a restructured BLA in the future of Self-Governance. In early September, the Self-Governance Work Group, led by Niles Cesar, Director of the Juneau Area office, met outside Denver, Colorado to review progress to date and begin finalizing their report for release as early as Spring, 1995.

Cesar was appointed Chairman of the Self-Governance Work Group by Carol Bacon, Acting Deputy Commissioner of Indian Affairs. An initial meeting of the committee was held in March to identify issues that impact non-compacting Tribes, Self-Governance Tribes and the BLA. The issues included identification of core functions; delegation of authority; nationwide criteria for distribution of program resources; restructuring/shortfall; administrative issues; Annual Funding Agreement review before compacting Tribes are permanent; and retention of Central Office functions.

To thoroughly address the issue of remaining core functions for the Self-Governance Policy Council, the Acting Deputy Commissioner asked for direct participation from each Area as identified in the accompanying chart.

Area offices were asked to take the lead in identifying core functions based on 100% compacting in their areas, specifically determining what core staff will be needed to perform the program and trust responsibilities assigned to them. Participants were asked to provide thorough documentation showing the basis for their conclusions.

The goal of the work is to create a standardized nationwide criteria for distribution of program resources. From the outset, Acting Deputy Commissioner

Area Offices Identify Core Functions

These subjects are being studied by the following Area offices.

MINERALS - Anadarko Area

FORESTRY - Portland Area

WATER - Billings Area

REAL ESTATE - Albuquerque Area

ROADS AND RANGE/AGRICULTURE -

Aberdeen Area

ANILCA-ANCSA - Juneau Area

TRIBAL SERVICES - Phoenix Area

EDUCATION - Navajo Area/Dir. of OIEP

FISH AND WILDLIFE - Minneapolis Area

ADMINISTRATION ISSUES - Sacramento Area

ECONOMIC DEVELOPMENT - Eastern Area

RESTRUCTURING/SHORTFALL/

NEGATIVE IMPACT ON NON-COMPACT -

Muskogee Area

CENTRAL OFFICE CORE FUNCTIONS -

Administration/Tribal Services

Bacon emphasized that the intent was not to establish an inflexible "ideal" system, but to instead develop a model that will be adaptable to local needs.

When the work group met in early September in Colorado, the focus was on providing guidance to the BLA on upcoming 1996 negotiations, with the hope of simplifying the process from both the Bureau and Tribal perspectives. To strive for more balance, the work group will be adding four participants: representatives from a large and small Self-Governance Tribe, and from a large and small non-compacting Tribe.

Area Director Cesar sees the work of his group as an attempt to establish a benchmark for Self-Governance as it moves from demonstration status to that of a permanent project. Along with the Reinfeld and Coster studies, the Self-Governance work group's report will help provide a picture of the changes resulting from Self-Governance as it becomes a reality for more and more Tribes.

Permanent Status Legislation Now Likely

PASSAGE OF A FINAL COMPROMISE bill by the Senate and House is now the only remaining step before President Clinton signs the Self-Governance bill into Permanent Status.

In late September, key House and Senate Committee staff brokered a last-minute agreement between representatives of Self-Governance Tribes and the Interior Department on the final wording of HR 3508, a bill to provide permanent legal authority for Tribal Self-Governance at the Department of the Interior. As a result, the Senate Committee canceled a hearing on the bill.

PERMANENT STATUS

As part of the agreement, Secretary Babbitt sent letters to House Subcommittee Chairman Richardson, House Committee Chairman Miller, Senate Committee Chairman Inouye, and Senate Committee Vice-Chairman McCain indicating the Department's wholehearted support for HR 3508 as amended with the final compromise language. These letters were necessary to send a message to the Senate and House that the Department will seek no more changes to the bill.

Consequently, the final bill is expected to be passed by the

Senate and House with the compromise language prior to the early October recess.

After Senate action, HR 3508 will automatically go back to the House, where the House Committee expects the bill will be held at the House desk and immediately passed. After House passage, the bill will then be forwarded to the White House for the President's signature.

Tentative plans are for a White House signing ceremony in late October.

Many Tribes directly involved in the compromise negotiations were disturbed by the Interior Department's tactics. There was much Tribal alarm at Interior's negotiating position, which was in sharp conflict with its role as the Tribes' trustee and with the Federal-Indian policy voiced by President Clinton on the White House lawn earlier this year. Nevertheless, the compromise agreement was reached because of united Tribal efforts combined with strong support from Congressman Bill Richardson and Senator John McCain and members of their respective Committee staff.

Earlier, the Senate and House committees reached agreement with the Interior Department to make several changes. The first involved adding back in the language passed by the Senate last year on regulation waivers Section 403(i)(2)(B), so that this subsection provides that a Tribal request for waiver may be denied only if the Secretary finds that the regulation language "may not be waived because such waiver is prohibited by Federal law." The second change involved adding the phrase "natural resources or public health and safety" at the end of subsection 403(d)(2) dealing with the terms in a Self-Governance agreement that govern under what "imminent jeopardy" conditions the Interior Department may "reassume" a compact activity. A third change added language at the end of Section 403(a) that requires all Self-Governance agreements to be negotiated "in a manner consistent with applicable Federal laws and the Federal government's trust relationship with and responsibility to the Indian people." There are several other technical changes of an editorial nature made throughout the version of the bill passed by the House.

The Interior Department's final amendment was protectionist in nature, seeking restrictive language describing the parameter of Department resources accessible for negotiated transfer as "available to Indians due to their status as Indians" rather than the much broader terms of "otherwise available to Indians" contained in HR 3508 and the original Title III. The compromise includes a new Section 403(b)(2) that limits Tribal eligibility to other Bureaus and Agencies; a new Section 403(b)(3) that requires joint agreement with the Secretary to redesign programs transferred outside the BIA; and limits accessibility to other

Dear Self-Governance Tribal Leader:

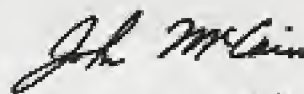
I am pleased to report that final agreement has been reached with the Department of the Interior with respect to amendments to HR 3508, the "Tribal Self-Governance Act of 1994." I am enclosing a copy of Secretary Babbitt's letter expressing the Department's strong support for HR 3508, as amended.

While I share your view that no amendments would have been the best outcome, it became evident that the inclusion of some amendments were necessary to ensure the bill's final passage. In doing so, I can assure you that every effort was made to limit the number and effect that these amendments would have on this historic Tribal initiative. With agreement among all parties, I anticipate that HR 3508 will be ready for the President's signature during the first two weeks of October.

Finally, I want to express my sincere appreciation to you for your support over the past few months. This debate has shown the extraordinary lengths that the bureaucracy will go to protect its turf. But they always underestimate one thing... your determination to protect your right to be Self-Governing.

Congratulations on your legislative victory, and keep showing the bureaucrats what reinventing government is all about.

Sincerely,



Senator John McCain
Vice Chairman

Bureau/Agency programs to the list to be presented in 405(c)(1).

Interior Secretary Babbitt has become personally involved, due in large measure to opposition from the other Bureaus and Agencies. Tribal representatives met with key House and Senate staff to determine final language which they then presented to Interior Department officials with a cover endorsement letter from Senator McCain and Representative Richardson. A meeting involving Interior Secretary Babbitt, Chief of Staff Collier, Solicitor Leshy, Ada Deer and staff revised final amendments to the Tribal compromise language. A letter from Secretary Babbitt (*right*) illuminates the reasoning behind the amendments, while the letter sent from John McCain to the leaders of all Self-Governance Tribes, expresses his satisfaction with the progress of the bill despite the amendments.

There should be a permanent Self-Governance Authorization before the planned October 8 recess. Immediate Tribal concerns should be the negotiated rule-making and Central office formula allocation provisions to be completed in the next 90 days.

New 403 (b) (91) language as of 9/20/94

Sec. 403 (b) Contents. - Each funding agreement shall -

- (1) authorize the Tribe to plan, conduct, consolidate, and administer programs, services, functions, and activities, or portions thereof, administered by the Department of the Interior through the Bureau of Indian Affairs without regard to the agency or office of the Bureau of Indian Affairs within Central office functions in accordance with section 403(g) (3) and, also, including (but not limited to) those administered under the authority of...

A new 403 (b) (2):

- (2) subject to such terms as may be negotiated, authorize the Tribe to plan, conduct, consolidate, and administer programs, services, functions, and activities or portions thereof, administered by the Department of the Interior other than through the Bureau of Indian Affairs and that are otherwise available to Indian Tribes or Indians as identified in section 405(c), except that nothing in subsection (b) (2) shall be construed to provide any Tribe with a preference in its opportunity to administer programs, services, functions, activities or portions thereof, unless such preference is otherwise provided for by law;

A new 403 (b) (3):

- (3) subject to the terms of the agreement, authorize the Tribe to redesign or consolidate programs, services, functions, and activities, or portions thereof, and to reallocate funds for such programs, services, functions, or activities, or portions thereof, except that reallocation, consolidation, and redesign with respect to 403(b) (2) programs shall require the joint agreement of the Secretary of the Interior and the Tribe;

In section 403(g) (3), the first sentence should be changed to con-

form to the recommended changes above in the following manner;

- (3) Subject to paragraphs (1), (2) and (3) of subsection (b), Revised Section 405 (c) (1);

- (1) In order to optimize opportunities for including non-Bureau Indian Affairs programs, services, functions, and activities, or portions thereof, in agreements with Tribes participating in Self-Governance under this title, the Secretary -

Dear Mr. Vice Chairman:

I am pleased to transmit to you the Department of the Interior's favorable responses to your proposed amendments to sections 403(b) and 405 of HR 3508 of the Tribal Self-Governance Act of 1994. This attached suggested language encompasses the compromises reached by the Department, your staff, Mr. Richardson's staff and Tribal representatives. With the inclusion of these amendments, the Administration strongly supports HR 3508, as amended.

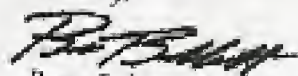
Tribal Self-Governance is consistent with my commitment to enhancing the government-to-government relationship with Tribes. I believe that this legislation is the single most important piece of legislation to advance Indian self-determination since PL 93-638. Further, Tribal Self-Governance is consistent with the Federal government's efforts to reinvent itself, by shifting responsibility for use of federal resources to elected Tribal leaders.

I realize that there are some who are concerned about the possibility that Self-Governance Tribes may compact for national programs that benefit the public at large. I must point out that the only non-BIA programs that will be available are those listed by mutual consent of both the Department and the Self-Governance Tribes. In addition, actual negotiations between a Tribe and the Department regarding programs that are eventually included in a Self-Governance agreement will identify any special conditions or requirements that should be met. Consequently, I am confident that the attached language adequately protects the responsibilities that my Department has to the American people.

I appreciate the leadership of many Tribal leaders and especially the leadership that you have rendered in making the possibility of permanent Tribal Self-Governance a reality. The Department has also transmitted this response to Congressman Richardson.

The Office of Management and Budget advises that it has no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,



Bruce Babbitt, Secretary of the Interior

- (A) shall review all programs, services, functions, and activities, or portions thereof, administered by the Department of the Interior other than through the Bureau of Indian Affairs, without regard to the agency or office concerned, and
- (B) within 90 days after the enactment of this title, provide to the appropriate committees of the Congress a listing of all such programs, services, functions and activities, or portions thereof, which the Secretary determines with the concurrence of Tribes participating in Self-Governance under this title, are eligible for inclusion in such agreements at the request of a participating Indian Tribe...

Building Allocation Methodology Consensus

A GROUP OF Tribal representatives and officials from the Indian Health Service Office of Tribal Activities and the Office of Tribal Self-Governance has been working together since July to develop a standardized methodology to better identify Tribal shares available to Self-Governance Tribes.

IHS Director Dr. Michael Trujillo recognized that both the IHS and Self-Governance Tribes had work groups in place developing methods to allocate Tribal shares. He also noted that while some of the methods being developed by the separate work groups were similar, others were widely dissimilar. The Director sought to bring the two groups together—as well as representatives from non-compacting Tribes—to develop consensus on the methodology to employ in future negotiations.

Dorothy Dupree of the Albuquerque Area office of the IHS was assigned by Dr. Trujillo to co-chair the Joint Allocation Methodology Work Group. In a letter ear-

Dorothy Dupree of the Albuquerque Area office of the IHS was assigned by Dr. Trujillo to co-chair the Joint Allocation Methodology Work Group. Dr. Trujillo asked Dupree to assume leadership of this "challenging and high-priority assignment," to develop the group and manage it through the IHS's Office of Tribal Self-Governance.

lier this year, Dr. Trujillo asked Dupree to assume leadership of this "challenging and high-priority assignment," to develop the group and manage it through the IHS's Office of Tribal Self-Governance.

Cyndi Holmes of the Jamestown

S'Klallam Tribe was appointed Tribal co-chair to coordinate the Tribes' participation. Along with Dupree, Holmes has worked to develop through consensus an acceptable allocation methodology to employ for Self-Governance negotiations that clearly identifies Tribal shares. The work group has also sought to identify which funds the methodology will apply to.

Holmes says a key component of the group's work is building on the earlier findings of a Tribal task force. They are also closely coordinating with the residual work group. Members of that group are examining IHS activities that will remain in the event that 100% of Tribes exercise the right to compact.

Dupree and Holmes are conducting work meetings prior to making a presentation to the National Tribal Consultation Conference in late November. Input from that conference will then be used to make final recommendations to the Council of Area and Associate Directors in December.



Tribal Self-Governance Demonstration Project

Sovereign Nations

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